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*Attorneys for Plaintiff*

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Esteban Marquez,

Plaintiff,

*-against-*

Indian Taj, Inc. d/b/a Santoor Indian Restaurant,  
Balvinder Singh, Harminder Singh, Joginder Singh,  
Kirpal Singh and Mehanga Singh,

Defendants.

Case No. 20-cv-5855

**DECLARATION OF STEVEN J. MOSER IN SUPPORT OF REQUEST TO ISSUE  
CERTIFICATE OF DEFAULT AS TO ALL DEFENDANTS**

Steven John Moser declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct.

1. I am the attorney for the Plaintiff in this action.
2. I am admitted to practice before this Court.
3. I submit this declaration in support of Plaintiffs' Request for Issuance of a Certificate of Default against all Defendants.
4. This action was commenced to remedy violations of the Fair Labor Standards Act 29 U.S.C. §201 et seq., and the New York Labor Law Article 19, §§ 650 et seq. A Complaint was filed on December 3, 2020. *See* ECF Docket Entry No. 1.

5. The Complaint was served upon Defendant Indian Taj, Inc. d/b/a Santoor Indian Restaurant on February 12, 2021. Proof of service of the Complaint upon Indian Taj, Inc. was filed on February 12, 2021. *See* ECF Docket Entry No. 5.

6. Indian Taj, Inc. did not answer or otherwise move with regard to the Complaint.

7. The Complaint was served upon Defendant Balvinder Singh on February 12, 2021. Proof of service of the Complaint upon Balvinder Singh was filed on February 12, 2021. *See* ECF Docket Entry No. 6.

8. Balvinder Singh did not answer or otherwise move with regard to the Complaint.

9. A First Amended Complaint was filed on April 8, 2021. *See* ECF Docket Entry No. 7,

**INDIAN TAJ, INC.**

10. A proposed Certificate of Default against Indian Taj, Inc. d/b/a Santoor Indian Restaurant is annexed hereto as Exhibit 1.

11. A summons was issued as to Defendant Indian Taj, Inc. d/b/a Santoor Indian Restaurant on April 9, 2021. *See* ECF Docket No. 8-5.

12. On May 14, 2021, the service of the Summons and Complaint on Defendant Indian Taj, Inc. d/b/a Santoor Indian Restaurant was completed.

13. Proof of service of the Summons and Complaint on Defendant Indian Taj, Inc. d/b/a Santoor Indian Restaurant was filed with the Court on July 6, 2021. *See* ECF Docket No.

9. A copy of the proof of service is annexed hereto as Exhibit 2.

14. The time for Defendant Indian Taj, Inc. d/b/a Santoor Indian Restaurant to answer or otherwise move with respect to the complaint herein has expired.

15. The time for Defendant Indian Taj, Inc. d/b/a Santoor Indian Restaurant to answer or otherwise move with respect to the complaint has not been extended.

**BALVINDER SINGH**

16. A proposed Certificate of Default against Balvinder Singh is annexed hereto as Exhibit 3.

17. A summons was issued as to Defendant Balvinder Singh on April 9, 2021. *See* ECF Docket No. 8-4.

18. On May 21, 2021, the service of the Summons and Complaint on Defendant Balvinder Singh was completed.

19. Proof of service of the Summons and Complaint on Balvinder Singh was filed with the Court on July 6, 2021. *See* ECF Docket No. 10. A copy of the proof of service is annexed hereto as Exhibit 4.

20. The time for Defendant Balvinder Singh to answer or otherwise move with respect to the complaint herein has expired.

21. The time for Defendant Balvinder Singh to answer or otherwise move with respect to the complaint herein has not been extended.

**HARMINDER SINGH**

22. A proposed Certificate of Default against Harminder Singh is annexed hereto as Exhibit 5.

23. A summons was issued as to Defendant Harminder Singh on April 9, 2021. *See* ECF Docket No. 8-3.

24. On May 21, 2021, the service of the Summons and Complaint on Defendant Harminder Singh was completed.

25. Proof of service of the Summons and Complaint on Harminder Singh was filed with the Court on July 6, 2021. *See* ECF Docket No. 11. A copy of the proof of service is annexed hereto as Exhibit 6.

26. The time for Defendant Harminder Singh to answer or otherwise move with respect to the complaint herein has expired.

27. The time for Defendant Harminder Singh to answer or otherwise move with respect to the complaint herein has not been extended.

**JOGINDER SINGH**

28. A proposed Certificate of Default against Joginder Singh is annexed hereto as Exhibit 7.

29. A summons was issued as to Defendant Joginder Singh on April 9, 2021. *See* ECF Docket No. 8-2.

30. On May 21, 2021, the service of the Summons and Complaint on Defendant Joginder Singh was completed.

31. Proof of service of the Summons and Complaint on Joginder Singh was filed with the Court on July 6, 2021. *See* ECF Docket No. 12. A copy of the proof of service is annexed hereto as Exhibit 8.

32. The time for Defendant Joginder Singh to answer or otherwise move with respect to the complaint herein has expired.

33. The time for Defendant Joginder Singh to answer or otherwise move with respect to the complaint herein has not been extended.

**KIRPAL SINGH**

34. A proposed Certificate of Default against Kirpal Singh is annexed hereto as Exhibit 9.

35. A summons was issued as to Defendant Kirpal Singh on April 9, 2021. *See* ECF Docket No. 8-1.

36. On May 21, 2021, the service of the Summons and Complaint on Defendant Kirpal Singh was completed.

37. Proof of service of the Summons and Complaint on Kirpal Singh was filed with the Court on July 6, 2021. *See* ECF Docket No. 13. A copy of the proof of service is annexed hereto as Exhibit 10.

38. The time for Defendant Kirpal Singh to answer or otherwise move with respect to the complaint herein has expired.

39. The time for Defendant Kirpal Singh to answer or otherwise move with respect to the complaint herein has not been extended.

**MEHANGA SINGH**

40. A proposed Certificate of Default against Mehanga Singh is annexed hereto as Exhibit 11.

41. A summons was issued as to Defendant Mehanga Singh on April 9, 2021. *See* ECF Docket No. 8.

42. On May 21, 2021, the service of the Summons and Complaint on Defendant Mehanga Singh was completed.

43. Proof of service of the Summons and Complaint on Mehanga Singh was filed with the Court on July 6, 2021. *See* ECF Docket No. 10. A copy of the proof of service is annexed hereto as Exhibit 14.

44. The time for Defendant Mehanga Singh to answer or otherwise move with respect to the complaint herein has expired.

45. The time for Defendant Mehanga Singh to answer or otherwise move with respect to the complaint herein has not been extended.

#### **CERTIFICATE OF SERVICE**

46. I hereby certify that on July 7, 2021, I delivered both via first class mail, and via Certified Mail, Return Receipt Requested, courtesy of the United States Postal Service, a copy of this Declaration, and all of the Exhibits annexed thereto upon the Defendants at the following addresses:

Indian Taj, Inc. d/b/a Santoor Indian Restaurant  
257-05 Union Turnpike  
Glen Oaks, NY 11004

Balvinder Singh  
c/o Indian Taj, Inc. d/b/a Santoor Indian Restaurant  
257-05 Union Turnpike  
Glen Oaks, NY 11004

Harminder Singh  
c/o Indian Taj, Inc. d/b/a Santoor Indian Restaurant  
257-05 Union Turnpike  
Glen Oaks, NY 11004


Joginder Singh  
c/o Indian Taj, Inc. d/b/a Santoor Indian Restaurant  
257-05 Union Turnpike  
Glen Oaks, NY 11004

Kirpal Singh  
c/o Indian Taj, Inc. d/b/a Santoor Indian Restaurant  
257-05 Union Turnpike  
Glen Oaks, NY 11004

Mehanga Singh  
c/o Indian Taj, Inc. d/b/a Santoor Indian Restaurant  
257-05 Union Turnpike  
Glen Oaks, NY 11004

WHEREFORE, Plaintiff requests that the default of Defendants INDIAN TAJ, INC.  
D/B/A SANTOOR INDIAN RESTAURANT, BALVINDER SINGH, JOGINDER SINGH,  
HARMINDER SINGH, KIRPAL SINGH, and MEHANGA SINGH be noted and that a  
Certificate of Default be issued with regard to said Defendants.

Dated: Huntington, New York  
July 7, 2021

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Steven John Moser, Esq. (SM1133)